

**JUN 29 2005**

**FROMMER LAWRENCE & HAUG LLP**

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**FACSIMILE COVER LETTER**

**To:** Commissioner for Patents  
Examiner Marcelo, Melvin C.

**Firm:** U.S. Patent and Trademark Office  
Art Unit 2662

**Facsimile:** (703) 872-9306

**From:** Thomas F. Presson

**Date:** June 29, 2005

**Re:** FLH Ref No.: 450100-03422  
Serial No: 09/938,152

**Number of Pages:** 10  
(including cover page)

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PATENT  
450100-03422

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Kunitoshi Shimizu, et al.  
Serial No. : 09/938,152  
Filed : August 23, 2001  
For : TRANSMITTING METHOD, TRANSMITTING APPARATUS, AND  
PROGRAM STORAGE MEDIUM  
Examiner : Marcelo, Melvin C.  
Art Unit : 2662

745 Fifth Avenue  
New York, NY 10151  
Tel: 212-588-0800

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required.  
☐ The fee has been calculated as shown below.  
☐ This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

**Claims as Amended**

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional Fee
Total claims	16	Minus	** = 20	* 0 x	\$50 (25)	= \$ 0
Independent claims	4	Minus	*** = 4	* 0 x	\$200 (100)	= \$ 0
Total additional fee for this amendment						\$ 0

- \* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.  
\*\* If the highest number of total claims previously paid for is less than 20, write "20" in this space.  
\*\*\* If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- ☐ This application contains a multiple dependent claim. The required fee of \$300 (150) has been previously paid ☐, or is paid herewith ☐.
- ☐ This response is being filed within the \_\_\_ month following the expiration of the term originally set therefor. This is a petition to request a \_\_\_ month extension of time. A check covering the cost of the petition is enclosed.
- ☐ A check in the amount of \$ \_\_\_ is attached, which covers the cost of ☐ additional claims & petition for extension of time.
- ☐ Charge \$ \_\_\_ to Deposit Account No. 50-0320.
- ☒ Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

I hereby certify that this correspondence is being transmitted via facsimile to 703-872-9306 on June 29, 2005

DeAndre Baselard  
(Name of Applicant, Assignor or Registered Representative)

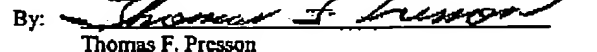
  
Signature

June 29, 2005

Date of Signature

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

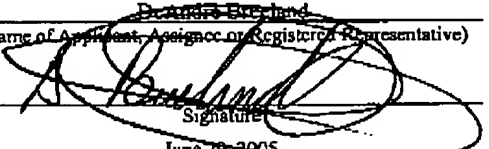
By:   
Thomas F. Presson  
Reg. No. 41, 442

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Examiner : Marcelo, Melvin C.  
Art Unit : 2662  
Confirmation No. : 1232

745 Fifth Avenue  
New York, NY 10151

I hereby certify that this correspondence is being transmitted via facsimile to 703-872-9306 on June 29, 2005	
<u>Dr. Andre B. Bland</u>	
(Name of Applicant, Assignee or Registered Representative)	
	
Signature	
<u>June 29, 2005</u>	
Date of Signature	

**AMENDMENT UNDER 37 C.F.R. § 1.121**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed on March 29, 2005, having a three-month statutory period for response set to expire on June 29, 2005. Please amend the above-identified application as follows.

PATENT  
450100-03422

**Amendments to the Claims** are reflected in the listing of claims which begins on  
page 3 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.